

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kanji UCHINO, et al.

Serial No. 09/048,026

Confirmation No. 3866

Filed: March 26, 1998

For: FORUM/MESSAGE BOARD RELEVANT DOCUMENT DISPLAY APPARATUS AND  
METHOD (AS AMENDED)



Group Art Unit: 2776

Examiner: Paula, C.

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SEP 18 2001  
Technology Center 2600

RESPONSE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

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SEP 21 2001

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This is in response to the Office Action mailed May 7, 2001, and having a period for response set to expire on August 7, 2001. A Petition for a two-month extension of time, together with the requisite fee, is submitted herewith, making the period for response end on October 7, 2001.

In the May 7, 2001, Office Action, the Examiner noted that claims 1-31 were pending in the application and were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patents 5,943,669 to Numata; 5,905,863 to Knowles, et al.; and 5,933,599 to Nolan. In item 4 on page 2 of the Office Action, it was stated that claims 19 and 28-31 were rejected as unpatentable over Numata in view of Lemay et al. and Shima et al.; however, since items 3 and 5 state that the previous rejections are withdrawn, it is unclear whether this rejection of claims 19 and 28-31 was also intended to be rejected or whether the rejection over Numata, Lemay et al. and Shima et al. is being maintained. Due to the uncertainty, this rejection is not addressed herein. The arguments set forth in the February 15, 2001, Amendment still apply.

As noted in the first sentence of item 3 on page 2 of the Office Action, Numata was filed on November 21, 1997. In item 5 on page 2 of the Office Action, the Examiner acknowledged the claim for foreign priority under 35 U.S.C. § 119 included Japanese Patent Application Serial No. 09-242247 which was filed on September 8, 1997. A Verified English Translation of

Japanese Patent Application Serial No. 09-242247 is submitted herewith. As should be readily apparent from the shape of the drawings, the drawings of the '247 Japanese application correspond to Figs. 1-34 and 68 in the U.S. application. The description of these drawings supports claims 1-18. Thus, claims 1-18 have an effective filing date earlier than Numata which is therefore not prior art. For this reason, withdrawal of the rejection of claims 1-18 is respectfully requested.

The only thing that was cited from Numata in the rejection of claims 19-31 that was different from what was cited to reject claims 1-18 was that Numata discloses a "document retrieval device . . . [with] a document extraction section" at column 5, lines 30-41. It is submitted that regardless of whether these components are supported by the priority document for the subject application, there is nothing that has been cited in Numata which is relevant only to claims 19-31. Therefore, Numata apparently is not prior art with respect to claims 19-31 either. For the above reasons, withdrawal of the rejection of claims 19-31 as unpatentable over any combination using Numata is respectfully requested.

It is submitted that the prior art references cited by the Examiner do not teach or suggest the features of the present claimed invention. Therefore, reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

If any further fees are required in connection with the filing of this Response, please charge same to our Deposit Account 19-3935.

Respectfully submitted,

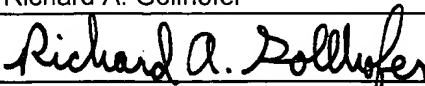
STAAS & HALSEY LLP

Date: 9/13/01

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S&amp;H Form: (2/01)

<b>REPLY/AMENDMENT FEE TRANSMITTAL</b> SEP 13 2001 PATENT & TRADEMARK OFFICE		Attorney Docket No.	826.1482		
		Application Number	09/048,026		
		Filing Date	March 26, 1998		
		First Named Inventor	Kanji UCHINO, et al.		
AMOUNT ENCLOSED		390.00	Examiner Name	C. Paula	
<b>FEE CALCULATION (fees effective 10/01/00)</b>					
CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	31	- 31 =	0	X \$ 18.00 =	\$ 0.00
INDEPENDENT CLAIMS	11	- 11 =	0	X \$ 80.00 =	0.00
Since an Official Action set an <u>original</u> due date of <u>August 7, 2001</u> , petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110); 2 months (\$390); 3 months (\$890); 4 months (\$1,390); 5 months (\$1,890)):					390.00
If Notice of Appeal is enclosed, add (\$310)					
If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110)					
Total of above Calculations =					\$ 390.00
Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)					
TOTAL FEES DUE =					\$ 390.00
(1) If entry (1) is less than entry (2), entry (3) is "0". (2) If entry (2) is less than 20, change entry (2) to "20". (4) If entry (4) is less than entry (5), entry (6) is "0". (5) If entry (5) is less than 3, change entry (5) to "3".					
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<b>METHOD OF PAYMENT</b>					
<input checked="" type="checkbox"/> Check enclosed as payment.					
<input type="checkbox"/> Charge "TOTAL FEES DUE" to the Deposit Account No. below.					
<input type="checkbox"/> No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).					
<b>GENERAL AUTHORIZATION</b>					
<input checked="" type="checkbox"/> If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:					
Deposit Account No.		19-3935			
Deposit Account Name		STAAS & HALSEY LLP			
<input checked="" type="checkbox"/> The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.					
SUBMITTED BY: STAAS & HALSEY LLP					
Typed Name	Richard A. Gollhofer			Reg. No.	31,106
Signature				Date	9/13/01

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